



9 February 2023

Justice Committee
Parliament Buildings
Wellington

Tēnā koe

Submission on the Sale and Supply of Alcohol (Community Participation) Amendment Bill

Alzheimers NZ welcomes the opportunity to submit on the Sale and Supply of Alcohol (Community Participation) Amendment Bill (the Bill).

Alzheimers NZ represents people with dementia and their care partners. The Dementia Economic Impact Report 2020 shows that around 70,000 New Zealanders living with dementia in 2020 and this number is set to rise to 170,000 by 2050 due to the growing ageing population.¹

Alzheimers NZ raises awareness of dementia, provides information and resources, advocates for high quality services, and promotes research about prevention, treatment, cure, and care. We support local community based Alzheimers and dementia organisations throughout NZ. These organisations provide support, education, information, and related services directly to members of their communities who are affected by dementia.

Alcohol in NZ

Alcohol causes harm to people, whānau and communities, and drives health and social inequities, as well as significant costs in the health, welfare, and justice sectors. According to the 2019/20 Alcohol Use in New Zealand Survey in 2018/19, 25 per cent of adults who consumed alcohol in the last year drank at hazardous levels. Alcohol consumption is a leading cause of health loss in people aged 15 to 49 years. Despite this, alcohol is increasingly affordable, easy to access, widely promoted and highly visible to communities.²

In 2018, the World Health Organization launched the SAFER initiative to help to combat the effects of alcohol-related harm by focusing on the most cost-effective policy interventions ('best buys').³ The best buys focus on drink driving, advertising, sponsorship and promotion, screening, availability, and pricing. A 2019/20 survey in NZ found that 54 per cent of respondents supported having fewer places selling alcohol in the local community.

Alcohol and dementia

The 2020 report of the Lancet Commission shows that excessive alcohol consumption over a long period of time can lead to brain damage and may increase the risk of developing dementia.⁴ The 2018 study found that heavy drinking increased the risk of dementia by about three times.⁵

Alcohol use disorders were a major risk factor for onset of all types of dementia, and especially early-onset dementia. Public health initiatives suggest decreasing harmful alcohol drinking could potentially reduce dementia.

Alzheimer NZ's position and comments on the Bill

Alzheimers NZ supports the Bill that aims to increase community participation to improve alcohol licensing and policy processes. The Bill gives communities the right to say in alcohol licensing decision-making processes and changes the current law that restricts who is permitted to have a say on the sale of alcohol.

Our support on the Bill is outlined below, which covers the areas of removing the appeal process of local alcohol policies, allowing anyone to object to an alcohol licence application and renew licence if it is inconsistent with the local alcohol policy, allowing to conduct hearings by remote access facility, and reviewing the District Licencing Committee's (DLC) procedures. While we are supportive of the Bill, we recommend further additions to the Bill including references to Te Tiriti o Waitangi.

Alzheimers NZ does not believe it necessary to be heard by the Committee on this submission.

Areas of support

Alzheimers NZ supports the proposed changes to remove the appeal process of provisional local alcohol policies.

Councils face challenges from alcohol retailers to their proposed alcohol policies on where, when, and how alcohol can be sold. This process is costly and causes councils abandon their alcohol policy. The proposed changes will make it easier for councils to implement local alcohol policy and to decline the application for

alcohol licences. It gives the community the power to decide how and how much alcohol is sold in their neighborhoods, and it will potentially reduce a frustrating process for both the applicant and the community and reduce costs to the taxpayers.

It should be noted that in 2018, local government councils across NZ voted on a remit to ask the Government to amend the Sale and Supply of Alcohol Act 2012 so that local alcohol policy can more accurately reflect local community views and preferences. This remit was passed with 95 per cent in support of this.

We support the provisions that any person may object to an alcohol licence application or renewal and empower licencing committee to decline to renew licence if it is inconsistent with the relevant local alcohol policy.

With fewer restrictions on who can object to a licence, it will encourage the community to give more input into licencing decision making and create decisions that reflect their wishes to reduce alcohol related harm. It is important to let communities know they can object to alcohol applications.

Allowing anyone to object is important for off licence applications as the alcohol could be bought and consumed offsite. People may not live near licensed premises, but they may have other genuine connections to the area and should have the opportunity to object to a licence application if they want to.

Declining to renew licence will also have the potential to reduce the number of bottle shops and availability of alcohol in communities. Evidence shows that greater availability of alcohol contributes to increases in alcohol-related harms, and when restrictions are placed on alcohol availability, harm from alcohol decreases. Furthermore, the higher density of alcohol shops in more deprived communities is an equity issue as it links to higher alcohol consumption and associated harms.^{6,7}

Because this proposed change will have significant consequences for some existing licensees and their businesses, some guidelines should be provided for DLCs and Territorial Local Authorities to support the implementation of the new provision.

We support the proposed change to allow licencing bodies to conduct hearings by teleconference or other remote access facility.

Remote access facilities will give more flexibility and accessibility for community members and organisations to attend standing hearings. It also offers cost savings and enhances collaboration in the process.

We support licencing committees to establish appropriate procedures, including avoiding unnecessary formalities and removing cross-examination at DLCs.

Review of the rules and guidance for DLCs will enable them to investigate and represent community expectations when granting alcohol licences. The community sees cross-examination as an intimidating process and removing this step will give them more access to take part in the process, shorten hearing times, cost-savings, and make it easier to develop hearing timetables.

Recommendations

Alzheimers NZ recommends that this regulatory review process includes consultations with and participation from Māori communities. The alcohol legislation needs to refer to Te Tiriti o Waitangi to achieve equitable health and social outcomes for Māori. As the population group who suffers the most from alcohol related harm, Māori communities must be included in a decision-making process so that they have their say over how alcohol sales are regulated to reduce disproportionate harm of alcohol to them.⁶

We recommend that hearings should be held in settings that are more amenable to communities, including settings that allow people with dementia or disability to fully participate in the process. The DLCs should also conduct hearings outside of working hours to give the opportunity for people who cannot participate in hearings during the business hours due to other commitments.

Conclusion

Excessive alcohol consumption has been associated with the increase in the risk of Alzheimer's and variants of dementia. If heavy alcohol use increases the risk of dementia, there are enormous social and economic implications.

Alzheimers NZ supports the intent and provisions included in the Sale and Supply of Alcohol (Community Participation) Amendment Bill and believe that the Bill will increase community participation in the alcohol licencing process. We support the Bill particularly in relation to:

1. Removing the special appeals process from local alcohol policy making.
2. Allowing any person to object to an alcohol licence and empowering licencing committee to decline to renew licence if that renewal is inconsistent with the relevant local alcohol policy.
3. Allow licencing hearings being able to be conducted remotely.
4. Empowering licencing bodies to establish appropriate procedures, including avoiding unnecessary formalities and the removal of cross-examination.

We recommend several amendments to improve community participation including involving Māori communities, people with dementia and disabilities in consultation process, and conducting hearings in more amenable settings.

Alcohol policy measures and public health programs have been proven to be effective and cost effective. If all these measures are implemented widely, they could reduce all alcohol-attributable morbidity and mortality.

Nāku noa, nā,

Catherine Hall
Chief Executive

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- ¹ Ma'u E, Cullum S, Yates S, Te Ao B, Cheung G, Burholt V, Dudley M, Krishnamurthi R, Kerse N. Dementia Economic Impact Report 2020. Auckland, New Zealand: University of Auckland; 2021
 - ² Aron, A. & Allen, K. (2021). Public attitudes on policy interventions to reduce alcohol harm: Results from the 2019/20 Alcohol Use in New Zealand Survey (AUiNZ). Wellington, New Zealand: Te Hiringa Hauora/Health Promotion Agency.
 - ³ World Health Organization. The SAFER initiative. A world free from alcohol related harm. Available at www.who.int/initiatives/SAFER
 - ⁴ Livingston G et al. Dementia prevention, intervention, and care: 2020 report of the Lancet Commission July 30, 2020, DOI: [https://doi.org/10.1016/S0140-6736\(20\)30367-6](https://doi.org/10.1016/S0140-6736(20)30367-6).
 - ⁵ Schwarzingler M, Pollock G, et al. Contribution of alcohol use disorders to the burden of dementia in France 2008–13: a nationwide retrospective cohort study. February 20, 2018. DOI: [https://doi.org/10.1016/S2468-2667\(18\)30022-7](https://doi.org/10.1016/S2468-2667(18)30022-7)
 - ⁶ Randerson, S., Gordon, L. et al. "I feel it's unsafe to walk": Impacts of alcohol supply on public space in eight neighbourhoods, and residents' input to alcohol licensing decisions. Wellington: Te Whatu Ora (2022)
 - ⁷ Hay G, Whigham P, Kypri K, et al. Neighbourhood deprivation and access to alcohol outlets: A national study. Health Place. 2009;15(4):1086–93.